



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,507	06/05/2001	Robert Stanley Arling	10010130-1	5883

24737 7590 02/17/2006

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

AL HASHEMI, SANA A

ART UNIT PAPER NUMBER

2164

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This action is issued in response to applicant's amendment filed 1/25/06.
2. Claims 1-3 and 5-18 are presented. No claims were canceled. None were added.
3. Claim Status: 1- 3 and 5-18 are pending.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/25/02006 has been entered.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, and 5-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Evans (US Patent No. 6,347,329).

Art Unit: 2164

Regarding Claims 1, 8, 9, 16, 17 and 18, Evans discloses a method of generating a medical¹ report, comprising:

displaying a plurality of pre-chosen findings comprising a plurality of medical condition that are associated with a particular portion or sub-portion of a living body, and a separate medical report simultaneously on an electronic display, the medical report comprising a summary section (see Fig. 5, 191, 193, 154, 151, column 6, lines 45-53, Evans);

selecting a pre-chosen finding based on a diagnosis of the particular portion or sub-portion of the body (see column 6, lines 54-59, Evans);

enabling a user to create a user-selected finding by entering data in said selected pre-chosen finding Col. 2, lines 35-40, Evans); and

automatically copying electronically said user-selected findings from the displayed pre-chosen findings into the summary section of the medical report upon an indication by a user that it is desired that said user-selected finding be add to the summary section (see column 5, lines 6-33, Evans²).

Regarding Claims 2, and 10, Evans discloses a method wherein the medical report further comprises a plurality of group sections, and automatically copying electronically each pre-chosen finding into a group section of the plurality of group sections which corresponds to the pre-chosen finding upon an indication by a user that it is desired that said user-selected finding be add to the summary section of the medical report (see column 5, lines 42-57, Evans).

Regarding Claims 3, 6, 11, and 14, Evans discloses a method further comprising:

¹ Examiner did not give the term "medical" any patentability weight since it is regarded as an intended use.

² Examiner reads the user is the health care provider and all the updates taking place upon their desire.

receiving for a second time a selection of said respective pre-chosen finding from the displayed pre-chosen findings, the second selection of said respective pre-chosen finding being previously selected and copied into the summary section of the medical report (see column 6, lines 55-64, Evans³); and

automatically removing electronically the second selected respective pre-chosen finding from the summary section of the medical report upon an indication by a user that it is desired that said user-selected finding be add to the summary section of the medical report (see column 10, lines 56-63, Evans⁴).

Regarding Claim 12, Evans discloses a method further comprising selecting the pre-chosen findings from a list of available findings (see Fig. 20, 334, Evans).

Regarding Claims 5, and 13, Evans discloses a method further comprising displaying on the electronic display an indicator next to the selected pre-chosen finding, separate from the medical report, so that specific information regarding the patient can be identified either from the display of the pre-chosen finding and identified in further detail in the medical report (see Fig. 20, indicator 001, Evans).

Regarding Claims 7, and 15, Evans discloses a method wherein the copying further comprises converting the selected pre-chosen finding into a more descriptive form before copying into the summary section (see Fig. 20, 335, Evans).

³ By allowing the user to select more than one form, reads on second form as the claimed limitation.

⁴ The method of ending and restarting the process reads on removing data.

Response to Amendment

Applicant's arguments filed 3/24/05 have been fully considered but they are not persuasive.

Applicant argues that “Evans’s system fails to disclose, enabling user to create a user selected finding by entering data in said selected pre-chosen finding.”

Examiner disagrees. Evans at Fig. 6, Col. 5, lines 5-26, and Col. 6, lines 42-67, wherein the user create a user-selected finding by capturing the patient information at a real time of the point of care, wherein the listing of the patient issues corresponds to the claimed limitation.

Applicant argues that the Evans fails to disclose the “means to create a user-selected finding”.

Examiner disagrees. The graphical user interface disclosed in Fig. 5, Evans discloses the means to create a user finding, wherein the user can enter any and all information in the system as disclosed in Col. 6, lines 42-59, which corresponds to the argued limitation.

Art Unit: 2164

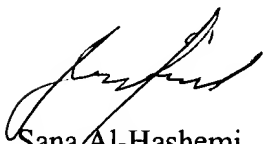
Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (571) 272-4013.

The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sana Al-Hashemi
Patent Examiner
Technology Center 2100
February 14, 2006